

REMARKS

The Decision on Appeal mailed October 31, 2008 and the Final Office Action mailed April 10, 2006 have been considered and these remarks are responsive thereto. Claims 1-4 and 6-11 have been canceled without prejudice or disclaimer. Claim 5 was previously canceled without prejudice or disclaimer. Claims 12-26 have been added. No new matter has been added. Reconsideration and allowance of the instant application are respectfully requested.

Rejection under 103

Claims 1-4 and 6-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki (U.S. Patent No. 6,611,262) and Dalal et al. (U.S. Patent No. 6,363,404). Applicants have canceled claims 1-4 and 6-11 thus rendering this rejection moot.

New Claims

Claims 12-26 have been added. No new matter has been added. Applicants respectfully submit that claims 12-26 are in condition for allowance. Claim 12 recites, *inter alia*,

“determining that a virtual three-dimensional space does not exist; in response to determining that the virtual three-dimensional space does not exist, creating a virtual three-dimensional space by using pipeline conversion information obtained from the uniform resource locator and placing the three-dimensional object in the created virtual three-dimensional space”.

Suzuki fails to teach or suggest such features. Instead, Suzuki is directed to enabling a computer graphics image that is described according to VRML. See Suzuki, col. 8, lines 2-8. Moreover, Dalal fails to cure the deficiencies of Suzuki. Dalal is directed to user interfacing within textures of three-dimensional models. See Dalal, Abstract. However, Dalal only describes generating a three-dimensional model based on predefined information and the markup documents stored in the texture image files. *Id.* Stated differently, Dalal is devoid of any teaching or suggestion of determining that a virtual three-dimensional space does not exist; in response to determining that the virtual three-dimensional space does not exist, creating a virtual three-dimensional space by using pipeline conversion information obtained from the uniform resource locator and placing the three-dimensional object in the created virtual three-dimensional space as recited in claim 12. Therefore, even assuming but not conceding that a combination of Suzuki and Dalal is appropriate, such a combination fails to result in each and every feature of claim 12. As such, claim 12 is patentably distinct from a combination of Suzuki and Dalal.

Claims 17 and 22 recite features similar to claim 12 and are patentably distinct from Suzuki and Dalal for reasons similar to those discussed above with respect to claim 12.

Claims 13-16, 18-21 and 23-26 ultimately depend on claims 12, 17 and 22. As such, they are distinct from Suzuki and Dalal for at least the same reasons as claims 12, 17 and 22 and in addition to the advantageous features recited therein.

CONCLUSION

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. Should the Examiner find that a telephonic or personal interview would expedite passage to issue of the present application, the Examiner is encouraged to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,
BANNER & WITCOFF, LTD.

Date: December 31, 2008

By: /Rick H. Lin/
Rick Hang-Ting Lin
Reg. No. 61,933

1100 13th Street, N.W.
Suite 1200
Washington, D.C. 20005-4051
Phone: (202) 824-3000
Fax: (202) 824-3001

CAM/RL/kb